

POSITION PAPER
U. S. DELEGATION

CONFIDENTIAL
March 13, 1962

INITIAL MEETING OF THE UNITED NATIONS COMMITTEE
ON THE PEACEFUL USES OF OUTER SPACE

THE PROBLEM

The United Nations Committee on the Peaceful Uses of Outer Space is scheduled to meet March 19 to undertake the substantive work assigned it under General Assembly Resolutions 1472 (XIV) and 1721 (XVI). Passage of these resolutions was effected at United States initiative, and the United States will be expected to continue to exercise leadership in the work of the Outer Space Committee.

UNITED STATES POSITION

1. It is in the United States interest to maintain its position as leading advocate of international cooperation in the peaceful uses of outer space and to play a leading role in the work of the Committee. Promotion of international space cooperation through the United Nations should help secure necessary cooperation for the United States space program on the part of many nations. It might encourage cooperative space arrangements involving the Soviet Union, and insofar as it provides new functions for the United Nations and its specialized agencies it strengthens them in their effort to promote peaceful and cooperative international relations.

2. The United States Delegation should make a major statement of United States policy on space cooperation setting forth our record of cooperation with other states, and making clear our continuing desire to further such efforts in the peaceful exploration and use of outer space and in the timely resolution of problems which may arise from the conduct of outer space activities. The Delegation should outline the questions which the United States believes the Committee and its Subcommittees could profitably consider and should urge the members of the Committee to approach their work in a manner best suited to achievement of constructive progress in these fields.

ORGANIZATIONAL QUESTIONS

3. The three Committee officers elected on November 27, 1961--Chairman: Doctor Franz Matsch of Austria; Vice-Chairman: Professor Mihail Haseganu of Rumania; and Rapporteur: Mr. Geraldo de Carvalho Silos of Brazil--should be re-elected to serve during 1962 and 1963. This has been generally agreed with the Soviet Union and other Committee members.

4. The Technical and Legal Subcommittees should be established as Committees of the Whole. Their officers should be elected by the Committee if agreement has been reached with the Soviet Union. The likelihood is that Dr. David Forbes Martyn of Australia will be chosen as Chairman of the Technical Subcommittee and Manfred Lachs of Poland

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as Chairman of the Legal Subcommittee.

5. The United States Delegation should propose that in order to allow sufficient time for preparation of constructive national positions for the Technical and Legal Subcommittees pursuant to discussion in the Main Committee, these Subcommittees should meet to undertake their work about mid-May. If the question of location of these Subcommittee meetings is raised, the Delegation should take the position that they should be held either in New York or in Geneva.

TECHNICAL MATTERS

6. Because of the relative unfamiliarity of various members of the Outer Space Committee with the technical subject matter of that Committee, and in order to make the Committee aware of the nature and scope of the NASA space program, the United States Delegation should arrange for suitable briefings to be given the Committee. A general briefing by NASA might be arranged for the full Committee early in its deliberations, to be held either under Committee auspices or as in independent national effort. Consulting with other Delegations at its discretion, the United States Delegation might also suggest to Committee Chairman Matsch that he invite all members of the Committee to prepare more extensive briefings to be given on matters of interest to the Committee when the Technical Subcommittee convenes.

7. The United States believes that first among the technical matters the Committee should consider are measures for promotion of international cooperative efforts.

a. The Main Committee should note the encouraging exchange of correspondence between President Kennedy and Premier Khrushchev on the subject of cooperation in outer space projects and should express an interest in being kept informed of the progress of plans for such cooperation, to which various members of the Committee and other nations as well might be able to make significant contributions.

b. The Main Committee should request a report from COSPAR on its activities and planning with regard to cooperative programs such as coordinated rocket soundings.

(1) The Technical Subcommittee might consider and comment on the COSPAR report and the work COSPAR is doing in identification of types of space experiments and space exploration which might profitably be undertaken and the optimum sequence and manner in which they should be conducted.

(2) In this connection, the Technical Subcommittee might recommend that COSPAR undertake the systematic examination and definition of desirable steps to be taken in sequence for scientific investigation of the planets.

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c. The Technical Subcommittee might suggest to ICSU the possible desirability of consideration by COSPAR and the International Astronomical Union of the potential usefulness and the requirements of organizing cooperative arrangements among ground-based observatories around the world to work together in coordinated research programs to fill out our knowledge of the planets.

d. The Technical Subcommittee might explore the possible desirability of establishing one or more international scientific laboratories where scientists from all nations could join in research projects and exchange scientific and technological information related to space projects. (In discussing this proposal, the United States Delegation should make no offer or commitment involving joint occupancy or use of facilities supporting United States space programs. Such occupancy or use by foreign nationals could jeopardize the free use of these facilities for sensitive projects and could necessitate the establishment of duplicate facilities at great expense.)

(1) Questions such as the human aspects of space flight--medical, biological, ecological, psychological and other matters relating to human activity and survival in space--might be studied in such an international center.

(2) Scientists might be drawn from various states to collaborate on the planning and design of instruments and equipment for use in space-based laboratories and astronomical observatories.

(3) Appropriate arrangements should of course be made, through existing data centers or otherwise to facilitate the exchange of information derived from such studies among interested nations and scientists.

(4) The momentum of these studies and exchanges should encourage broader exchange of information relating to other projects and other aspects of space science and technology.

e. The Subcommittee might note the current activity on the part of the ITU International Radio Consultative Committee relative to the termination of satellite radio emissions. The Subcommittee might give its support to the desirability of ITU adoption of appropriate CCIR recommendations to assure that satellites and other space vehicles be capable of ceasing radio emissions by the use of appropriate devices.

f. The Technical Subcommittee should take measures to encourage and foster national space activities and the exchange of information regarding these activities.

(1) The Subcommittee might encourage formation of national space research committees to enable member nations to

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participate more effectively in international cooperative efforts relating to outer space.

(2) The Subcommittee might request reports from nations and national groupings such as the European Space Research Organization concerning their space and space-related activities.

(3) In support of national space activities, the Subcommittee should arrange for the Secretariat to prepare informational material regarding appropriate measures states could take, including their costs, to enhance their ability to participate in international space efforts. Such materials might include information about;

(a) existing national and international training programs and facilities;

(b) scientific and technological symposia in which states could participate;

(c) requirements for sounding rocket programs and the necessary facilities for launching such rockets; and

(d) minimum equipment required for telemetry operations.

8. Maintenance of contact with organizations concerned with space activities; exchange and dissemination of space information;

a. Scientific information exchange. With the participation of a qualified representative from COSPAR, the Technical Subcommittee might examine the operation of existing scientific data centers, translation services and communications facilities for the dissemination and use of scientific information received from space activities.

b. Technical information exchanges. The Technical Subcommittee should examine existing WMO, ITU and other arrangements for the exchange of information regarding technology and technical applications of space science as in meteorology, communications, geodetics, and navigation. In light of this examination, the Subcommittee might suggest arrangements to further and improve the exchange of technological information.

c. UNESCO, as the scientific and educational agency of the United Nations, is concerned with promotion of international scientific cooperation, information exchange, and research, including extra terrestrial research. In the implementation of the proposals contained in paragraphs 8b, 9, 9a, and 15d of this paper, the United States would wish to see a close working relationship established with UNESCO so that the maximum benefits may be derived from its assistance and support.

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9. With regard to the proposals contained in Parts C and D of Resolution 1721 (XVI) concerning meteorology and communications satellites, the United States posture should be one of encouraging the WMO and ITU, respectively, to move ahead as rapidly as possible in their implementation of the Resolution. It is not desirable for the Outer Space Committee to become involved in the complex questions associated with these programs, but action by the Committee to evince its deep interest in the implementation of the Resolution would be constructive.

a. The United States Delegation should in this connection propose that the Main Committee be reconvened at an appropriate time to examine the WMO and ITU reports so that it can incorporate in its report to the General Assembly on its own work such comments as it might wish to make on the proposals regarding meteorology and satellite communications.

b. The United States Delegation should indicate that the United States will keep the Outer Space Committee informed concerning the progress made in our national efforts to develop meteorological and communications satellites. (For the Delegation's information, there is attached as ANNEX A a description of the present status of and prospects for the development of communications satellites and arrangements for their use.)

LEGAL MATTERS

10. The United States Delegation should propose that the Legal Subcommittee initiate a study of the problem of liability for space vehicle incidents. It should be suggested that the most efficient approach to this question would be for the Legal Subcommittee, after a brief initial discussion of the problem, to have the Outer Space Committee request the Secretary-General to summon a small panel of suitably qualified experts drawn from various geographical areas. The panel, assisted by technical experts, could prepare a report on the matter together with recommendations for treaty or other instruments to deal with it. A fuller statement of the position is appended as ANNEX B.

11. The Legal Subcommittee should also study the question of return of space vehicles and personnel which land on foreign territory in distress or by mistake. It should draft a resolution to be forwarded to the General Assembly by the Outer Space Committee, calling for the prompt and safe return of such space vehicles and personnel at the expense of the launching state. A fuller statement of the position, together with a suggested draft resolution, is appended as ANNEX C.

12. Contingency: A member of the Committee may propose that the Committee, or its Legal Subcommittee, draw up a definition of "peaceful uses" or "peaceful purposes" in the outer space context.

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The United States Delegation should oppose any attempt to define these terms in that context as unnecessary in view of the unanimous consensus of the organized international community that international law, including the United Nations Charter, applies to state conduct in outer space. The Delegation should moreover point out that such an attempt would be fruitless since, apart from the restrictions placed upon state conduct by international law, limitations upon exploration and use beyond the territory of states is a subject properly for discussion and action by disarmament bodies, most importantly the Eighteen-Nation Disarmament Committee. In any discussion of this subject, the United States Delegation should resist any attempt to substitute the terms "non-military" for "peaceful" and "military" for "non-peaceful" in characterizing space activities. The conduct of activities in space by the military does not in itself make them aggressive in character. Under the terms of the United Nations Charter, for example, the use of satellites in meteorology, communications, navigation, early warning, and observation is entirely permissible. A definition of "peaceful uses" and "peaceful purposes" is attached in ANNEX D for use in the event that the United States is required to take a position in order to defeat objectionable definitions.]

13. [Contingency: It is possible that members of the Committee may propose definition of an altitude boundary for a lower limit to outer space and/or an upper limit to air space. The United States, has, by implication, consistently taken the position that satellites now in orbit are in outer space. The United States is, however, not prepared at this time to discuss any specific definition of the limits of outer space. The United States Delegation should therefore oppose as premature any attempt to define a boundary for outer space or air space. If an interest in this matter should persist, the Delegation may agree to the creation of a working group on the boundary question. A contingency paper on this subject is attached at ANNEX E.]

14. [Contingency: The Soviet Union or other members of the space committee may seek to attack certain United States space programs on the ground that they are designed to serve aggressive military purposes or espionage, that they are polluting outer space with scientifically unnecessary and undesirable programs, or that they are conducted in an irresponsible manner which endangers other countries. Making use of the attached contingency papers on military space activities (ANNEX F) and Project West Ford (ANNEX G), the United States Delegation should reject such charges and resist attempts to place limitations on United States space activities.

In addition, it is possible that members of the Committee may propose that the Committee consider and make recommendations concerning standards for the conduct of space activities so as to minimize interference or contamination. Since these issues are extremely complex and lend themselves particularly to emotional and uninformed reactions, the United States Delegation should attempt to avoid discussion, if possible. If not, the Delegation should (a) note that

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COSPAR has already been charged by an ICSU resolution of September, 1961 to examine proposed activities with potentially undesirable effects and make the facts available to governments and (b) recommend that the Committee request COSPAR to watch this matter carefully and report to the Committee as appropriate.]

ADMINISTRATIVE QUESTIONS

15. Under Resolution 1721 (XVI), the Secretary-General has been requested to maintain a public registry of information furnished by states launching objects into orbit or beyond for the purpose of registration of such objects. The cooperation of the Secretary-General and the use of the functions and resources of the Secretariat are prescribed in implementation of the Space Committee's responsibilities, "(a) To maintain close contact with governmental and non-governmental organizations concerned with outer space matters; (b) To provide for the exchange of such information relating to outer space activities as governments may supply on a voluntary basis, supplementing but not duplicating existing technical and scientific exchanges; (c) To assist in the study of measures for the promotion of international cooperation in outer space activities."

a. The United States wishes to strengthen the executive capacities of the United Nations, its Secretariat and specialized agencies. The United States Delegation should therefore discourage suggestions that the Outer Space Committee become involved with the administrative arrangements the Secretariat may find necessary to execute in the responsibilities assigned in the resolution.

b. With respect to the space launching registration, the United States Delegation should support a request for a report from the Secretary-General on the manner in which the registry will be maintained and made publicly available. If questions are raised concerning the types of information supplied for the registry, the Delegation should point out that Resolution 1721 (XVI) left this to be determined by the launching state. The Delegation should maintain that this is the most practical approach to the matter. A contingency paper is attached as ANNEX H for use in any discussion of this subject.

c. However, in elaboration of the duties which the Secretariat should perform on behalf of the Outer Space Committee, the United States Delegation should propose that:

(1) All governmental and non-governmental organizations concerned with outer space matters should be invited to establish contact with the Outer Space Committee through the United Nations Secretariat.

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(2) The Secretariat establish and maintain a comprehensive directory of these organizations, their constitutions, purposes, officers, facilities and activities.

(3) In addition, the Secretariat should maintain a similar inventory of national organizations concerned with space matters, together with a listing of research and other space-related resources in each country.

(4) On behalf of the Committee, the Secretariat might keep under review cooperative arrangements among such organizations as well as national members of the United Nations, maintaining a current picture of the overall extent and nature of international space cooperation.

(5) The Secretariat should serve as a clearing house for the above information and should help member states secure other information in the field of space science and technology by directing them to appropriate existing informational sources which can satisfy their inquiries.

OUTER SPACE CONFERENCE [To be raised only at foreign initiative.]

16. The Delegation should indicate that an outer space conference would be generally desirable and should serve a useful purpose in bringing nations the world over up to date on progress in space exploration. The Delegation should emphasize, however, the importance of timing such a conference so as to maximize its impact, to make possible full participation by qualified scientists, and to avoid disturbing conflict with other conferences such as the conference on Science and Technology for Less Developed Areas scheduled for 1963. The Delegation might also point out that it will take about a year to prepare adequately for an international space conference.

a. The United States Delegation should make it clear that the conference agenda should include space technology as well as science. This is of primary importance to the significance of such a conference, and the United States Delegation should insist upon it.

b. It should be made clear that in arrangements for the conference maximum provision should be made for participation by scientists other than United States and Soviet Union.

c. The United States Delegation should propose Geneva as the conference site and should refer other suggestions to the Department for consideration.

d. If a conference is decided upon, the membership of the Conference Planning Subcommittee should be decided upon and the Subcommittee established. The United States favors a 6-3-3 composition

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ratio for that Subcommittee. The Soviet Union shares the view that the Subcommittee should be limited in membership and has favored 8 or 9 members. The United States Delegation should propose as members of the Subcommittee under a 6-3-3 arrangement: Argentina, Canada, Chad, France, Japan, Lebanon, Poland, Soviet Union, Sweden, United Kingdom, United States and another Soviet bloc state other than Hungary.

17. If it appears appropriate during the proceedings of the Outer Space Committee, the United States Delegation might, subject to prior coordination in Washington, extend an invitation to the members of the Committee to visit Cape Canaveral and witness a space launching there.

State--Washington, D. C.